

EXHIBIT B

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
THE BOARD OF TRUSTEES OF THE)
LELAND STANFORD JUNIOR)
UNIVERSITY,)
)
Plaintiff,)
)
VS.) NO. C 18-01199 VC
)
AGILENT TECHNOLOGIES, INC., et)
al.,)
)
Defendants.)
)
AND RELATED CROSS-ACTIONS)
)

VIDEOTAPED DEPOSITION OF ANNETTE WALTON
Palo Alto, California
Thursday, July 25, 2019

Reported by:
LYDIA ZINN
RPR, FCRR, CSR No. 9223
Job No. SF 3405984
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Videotaped deposition of ANNETTE WALTON,
taken on behalf of Defendants, at Perkins Coie, 3150
Porter Drive, Palo Alto, CA 94304-1212, beginning
at 10:08 a.m. and ending at 6:55 p.m., on Thursday,
July 25, 2019, before LYDIA ZINN, Certified
Shorthand Reporter No. 9223.

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15 Also Present:

16 Videographer Sean Grant, Veritext
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1 regulatory orders being issued against Agilent with 12:06:53
2 regard to its operations at the 1601 facility for that
3 period of time?

4 A. No.

5 Q. Okay. Do you have any knowledge of PCBs by 12:07:02
6 Agilent as part of its operations during Agilent's
7 occupation of its facility?

8 A. No.

9 Q. And same question with regard to TCE?

10 A. No. 12:07:17

11 Q. Okay. Subsequent to Agilent's occupancy, do you
12 know if Stanford continued to lease the Property?

13 A. I believe so, but that's a lease question that I
14 think Jane probably could answer better than me. Yeah.

15 Q. Do you know if there was another company that 12:07:40
16 ended up on the facility after Agilent or --

17 A. I believe two. Facebook, I think, was one. And
18 Theranos was another.

19 Q. Okay. Do you have any knowledge of what Theranos
20 did at 1601 while it was there? 12:08:00

21 A. I believe biotech. Basically, that was it.

22 Q. But nothing -- you don't know anything more
23 specific than that?

24 A. Well, when they come on to our land, we ask for
25 information about their chemical use. And we obtain 12:08:19

1 deal, so no. 16:21:03

2 Q. Were you aware that Agilent and Stanford entered

3 into a Option Purchase Agreement for Agilent to --

4 A. I was aware that Stanford was thinking about

5 acquiring the Property; and therefore we did our 16:21:12

6 Phase One and Phase Two sampling, and then created a

7 letter of all of the impacts that we found.

8 So as I said earlier, I don't know the specifics

9 of the transaction or the deal.

10 Q. Okay. So did you have any discussions with 16:21:25

11 Jean Snider with regard to price negotiations with

12 regard to that deal?

13 A. No. I just told her what we found, and for her to

14 consider that in her negotiations.

15 Q. Okay. Did you talk to her about what you 16:21:43

16 anticipated as potential cost of environmental

17 remediation at the site to make it appropriate for

18 residential?

19 A. No, because we wanted to make that Agilent's

20 responsibility; if we found anything, that they would 16:22:00

21 be responsible for it. So what we found, we shared

22 with Agilent.

23 They declined. They sent us back a nice letter,

24 basically saying, Thanks, but no thanks. Go do what

25 you need to do, Stanford. 16:22:13

1 And at that point I just said, Okay. Well, this 16:22:16
2 is something that we need to further assess. We know
3 there's PCBs. We know there's TCE. I don't know how
4 extensive it is, so I can't put a number on it.

5 Q. Okay. Do you know if Stanford did environmental 16:22:28
6 investigation as part of its due diligence with regard
7 to the Option to Purchase Agreement?

8 A. All I know is that when we did the Phase One and
9 Phase Two --

10 And I don't know how close that was to that deal, 16:22:50
11 that agreement. I don't know.

12 MR. BLOOM: All right. I think this is 100.
13 (Deposition Exhibit 100 marked for identification.)

14 BY MR. BLOOM

15 Q. So this is a 2000 -- or actually, if you can, tell 16:23:19
16 me what this is, if you know.

17 A. Some this is an e-mail from me to Susan, just
18 letting her know that we're going to do -- start our
19 due diligence on the Property, 1601 California Avenue,
20 and that I want her to give me a proposed Scope of Work 16:23:41
21 to go in to do mostly Phase Two sampling at this point,
22 because we had a lot of information in our files about
23 a sump, about those drawings of the transformer; and
24 then to look at things that are part of facility
25 closure. So it's mostly dealing with Phase Two 16:24:04